

PROB 12C
(7/93)

United States District Court

for

District of New Jersey

Amended Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Samuel Graves

Docket Number: 09-00299-001

PACTS Number: 54720

Name of Sentencing Judicial Officer: The Honorable Stanley R. Chesler
United States District Judge

Date of Original Sentence: 08/16/10

Date of Violation of Supervised Release: 01/07/2011

Original Offense: Possession of a Firearm by a Convicted Felon

Original Sentence: Time Served; 3 years supervised release

Violation of Supervised Release Sentence: 12 month's imprisonment; 2 years supervised release.

Type of Supervision: Supervised Release

Date Supervision Commenced: 12/09/11

Assistant U.S. Attorney: Melissa Jampol, 970 Broad Street, Room 502, Newark, New Jersey 07102, (973) 645-2700

Defense Attorney: Michael Gilberti (Appointed), Epstein, Cohen and Gilberti, LLC, 21 East Front Street, Suite 210, Red Bank, New Jersey 07701, (732) 212-0400

PETITIONING THE COURT

- ☒ To issue a warrant
☐ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

1. The offender has violated the standard supervision condition which states 'You shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.'

The offender was referred to the Milestone House, a drug free halfway house located in Dover, New Jersey. Arrangements were made for Second Chance Act funds to be utilized to pay for his initiation fee and first months rent. He was instructed to report to this program on December 9, 2011, after being released from the Bureau of Prisons. He failed to report to the program. On December 10, 2011, the offender was instructed to report to the program on December 12, 2011. Again, he did not follow the instructions of his probation officer and failed to report to this program.

On March 21, 2012, the undersigned spoke with the offender via telephone. He confirmed that he was home at the address of record. USPO instructed the offender that USPO would be conducting a home visit and for him to wait at home until USPO arrived. Approximately thirty (30) minutes later, the undersigned arrived at the offender's apartment and met with his aunt, who indicated that after the offender got off the telephone with the undersigned that he told her he was going for a walk and left the apartment.

2. The offender has violated the standard supervision condition which states 'You shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.'

The offender tested positive for cocaine on the following dates: December 15, 2011; January 11, 2012; January 16, 2012; January 17, 2012; and January 27, 2012.

3. The offender has violated the standard supervision condition which states 'The defendant shall report to the probation officer in a manner and frequency directed by the Court or probation officer.'

The offender was instructed to report to the probation office on January 18, 2012 and February 2, 2012. On each occasion he failed to report.

On March 21, 2012, the undersigned made arrangements to meet with the offender at his apartment, however, the offender left the apartment prior to the visit being conducted.

The offender has not submitted a monthly supervision report since his release from prison on December 9, 2011.

4. The offender has violated the special supervision condition which states 'You shall refrain from the illegal possession and use of drugs, including prescription medication not prescribed in your name, and the use of alcohol, and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that you shall submit to evaluation and treatment, on an outpatient or inpatient basis, as approved by the U.S. Probation Office. You shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged by the Court. You shall alert all medical professionals of any prior substance abuse history, including any prior history of prescription drug abuse. The Probation Officer shall supervise your compliance with this condition.'

Due to the offender's positive tests for cocaine, he was referred for intensive outpatient counseling through Turning Point, a treatment program in Paterson, New Jersey. The offender attended the admission appointment on January 16, 2012, and was instructed to return on January 19, 2012. He was scheduled to attend three (3) sessions per week. The offender attended one session on January 27, 2012, and has not returned or contacted the program.

On March 21, 2012, the undersigned scheduled a home visit with the offender for the purpose of collecting a urine sample. The offender left his residence and failed to submit to urinalysis.

5. The offender has violated the standard supervision condition which states 'You shall permit a probation officer to visit you at any time at home or elsewhere, and shall permit confiscation of any contraband observed in plain view by the probation officer.'

On March 21, 2012, the undersigned telephoned the offender and made arrangements to conduct a home visit at the offender's residence. When the undersigned arrived thirty (30) minutes later, his aunt advised the offender had left the apartment.

I declare under penalty of perjury that the foregoing is true and correct.

Patrick T. Hattersley

By: Patrick T. Hattersley
U.S. Probation Officer

Date: 03/28/12 *KJM FOR TCM*

THE COURT ORDERS:

- ☒ The Issuance of a Warrant
☐ The Issuance of a Summons. Date of Hearing: _____
☐ No Action
☐ Other

[Signature]
Signature of Judicial Officer

3/30/2012
Date